

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/4/2022

JOHN BAL,

Plaintiff,

-against-

U.S. DEPARTMENT OF THE  
TREASURY'S OFFICE OF FOREIGN  
ASSETS CONTROL; JASON E. PRINCE,  
Chief Counsel, Office of Foreign Assets  
Control; MARSHALL FIELDS, Assistant  
Director, Office of Foreign Asset Control;  
CHARLES BISHOP; Sanctions  
Coordinator, Office of Foreign Assets  
Control; PAYPAL, INC.; ROBERT  
HURST, Paypal Compliance Transaction  
Officer, and "JOHN DOE," an Executive  
or Agent of PayPal,

Defendants.

1:21-cv-04702

ORDER OF SERVICE

MARY KAY VYSKOCIL, United States District Judge:

By order dated June 4, 2021, the Court granted Plaintiff leave to proceed in forma pauperis ("IFP"). Because Plaintiff has been granted permission to proceed IFP, he is entitled to rely on the Court and the U.S. Marshals Service to effect service. *Walker v. Schult*, 717 F.3d 119, 123 n.6 (2d Cir. 2013); see also 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP)). Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that the summons and complaint be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have served the summons and amended complaint until the Court reviewed the amended complaint and ordered that a summons be issued. The Court therefore extends the time to serve

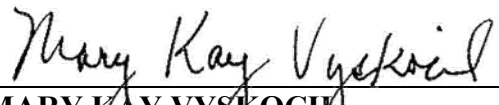
until 90 days after the date the summons is issued. If the amended complaint is not served within that time, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff's responsibility to request an extension of time for service); *see also Murray v. Pataki*, 378 F. App'x 50, 52 (2d Cir. 2010) ("As long as the [plaintiff proceeding IFP] provides the information necessary to identify the defendant, the Marshals' failure to effect service automatically constitutes 'good cause' for an extension of time within the meaning of Rule 4(m).").

To allow Plaintiff to effect service on Defendants United States Department of the Treasury Office of Foreign Assets Control, Jason E. Prince, Marshall Fields, and Charles Bishop through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form ("USM-285 form") for these defendants. The Clerk of Court is further instructed to (1) mark the box on the USM-285 forms labeled "Check for service on U.S.A."; (2) issue a summons; and (3) deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon these defendants.

To allow Plaintiff to effect service on Defendants Paypal, Inc. and Robert Hurst through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form ("USM-285 form") for these defendants. The Clerk of Court is further instructed to (1) issue a summons; and (2) deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon these defendants.

**SO ORDERED.**

**Date: January 3, 2022**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**

**DEFENDANTS AND SERVICE ADDRESSES**

1. United States Department of the Treasury  
Office of Foreign Assets Control  
1500 Pennsylvania Avenue N.W.  
Washington, D.C. 20220
2. Jason E. Prince, OFAC Chief Counsel  
United States Department of the Treasury  
1500 Pennsylvania Avenue  
Washington, D.C. 20220
3. Marshall Fields, OFAC Assistant Director  
United States Department of the Treasury  
1500 Pennsylvania Avenue  
Washington, D.C. 20220
4. Charles Bishop, OFAC Sanctions Coordinator  
United States Department of the Treasury  
1500 Pennsylvania Avenue  
Washington, D.C. 20220
5. PayPal, Inc.  
2211 N 1st Street  
San Jose, California 95131
6. Robert “Bob” Hurst, Compliance Transaction Coordinator  
PayPal, Inc.  
7700 Eastport Parkway  
La Vista, Nebraska 68128